



DAC 7/1/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 2336)

In the Application of:

David Welch

Serial No.: 10/622,438

Filed: July 18, 2003

For: Method and System for Buffering Media  
to Reduce Apparent Latency in Initiating  
a Packet-Based Real-Time Media Session

Confirmation No. 4938

Group Art Unit: 2681


Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - A. Petition to Correct Filing Date Pursuant to 37 C.F.R. §1.10(c);
  - B. Tabs A-C; and
  - C. Return Receipt Postcard.
2. With respect to additional fees, please charge the petition fee of \$130.00 to Deposit Account No. 210765.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 210765. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned also hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 on this 28<sup>th</sup> day of January, 2004.

By:   
Lawrence H. Aaronson  
Reg. No. 35,818



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

**PETITION TO CORRECT FILING DATE**  
**PURSUANT TO 37 C.F.R. §1.10(C)**

Sir:

Applicant submits this Petition to correct a Patent Office error on the filing date in the above-identified U.S. patent application. The filing receipt and return-receipt postcard both indicate a filing date of July 17, 2003. However, Applicant deposited the application in Express Mail on July 18, 2003, rather than on July 17, 2003. Consequently, the Patent Office should accord a filing date of **July 18, 2003**.

Applicant submits herewith a true copy of the "Express Mail" mailing label showing the "date-in" date as July 18, 2003 (Tab A). Further, Applicant submits herewith a copy of the transmittal (Tab B), and postcard (Tab C), showing the Express Mail number and correct filing date.

02/06/2004 DEMMANU1 00000072 210765 10622438

01 FC:1460 130.00 DA

In view of the fact that this petition is intended to correct a mistake by the Patent Office,  
Applicant requests the Office to credit the petition fee of \$130.00 to Applicant's deposit account  
No. 210765.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

A handwritten signature in black ink, appearing to read "Lawrence H. Aaronson", written over a horizontal line.

Date: January 28, 2004

By:

Lawrence H. Aaronson  
Reg. No. 35,818



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PO ZIP Code 60607	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input checked="" type="checkbox"/>
Date In 7-18-03	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65
Time In 9:50	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Weight 11.4 lbs. 0 oz.	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials DW	Total Postage & Fees \$ 13.65

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Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
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<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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# UTILITY PATENT APPLICATION TRANSMITTAL

*Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))*

## ADDRESS TO:

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

Attorney Docket No. 2336

First Named Inventor David Welch

Express Mail No. EV333549632US

## APPLICATION ELEMENTS

1. ☒ Transmittal Form
2. ☒ Specification (including claims and abstract) [Total Pages 31]
3. ☒ Drawings [Total Sheets 7]
4. ☒ Oath or Declaration [Total Pages 1]
  - a. ☒ Newly executed
  - b. ☐ Copy from prior application  
[Note Boxes 5 and 18 below]
    - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy
  - c. ☐ Statement verifying above copies
8. ☐ Small Entity Status
  - ☐ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers
10. ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17. ☐ Other:

18. ☐ This is a CONTINUING APPLICATION. Please note the following:

- a. ☐ This is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No. .
- d. ☐ The prior application is assigned of record to

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 2336

## APPLICATION FEES

BASIC FEE				\$ 750.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	21 - 20=	1	x \$18.00	\$ 18.00
Independent Claims	3 - 3=	0	x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
Total of above calculations =				\$ 768.00
Reduction by 50% for filing by small entity =				\$( )
<input checked="" type="checkbox"/> Assignment fee if applicable			+\$40.00	\$ 40.00
TOTAL =				\$ 808.00

19. ☒ Please charge my Deposit Account No. 210765 in the amount of \$808.00.

20. ☐ A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 210765:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 210765 for any fee that may be due in connection with such a request for an extension of time.

## 23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

## 24. USPTO CUSTOMER NUMBER



28005

PATENT TRADEMARK OFFICE

Sprint Corporation

## 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name Lawrence H. Aaronson

Reg. No. 35,818

Signature

Date

July 18, 2003

UTIL (Rev. 11/21/00)

Hon. Commissioner of  
Patents and Trademarks

S/N

03-307

Atty LHA

Re: Applicant - David Welch

Case No. 2336

**Method and System for Buffering Media to Reduce Apparent Latency in  
Initiating a Packet-Based Real-Time Media Session**

Sir:

Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter
- ☒ Specification (31 sheets including cover sheet, claims and abstract)
- ☒ Drawings (7 sheets)
- ☒ Signed Declaration and Power of Attorney
- ☐ Filing Fee Check
- ☒ Assignment with Recordation Cover Sheet
- ☒ Other Request and Certification under 35 U.S.C. 122(b)(2)(B)(i); Application Data Sheet

EV333549632US

Fee Enclosed

17537 U.S. PTO  
10/622438

\$ -0-

Mailed: July 18, 2003



07/17/03

Respectfully,  
McDonnell Boehnen Hulbert & Berghoff  
Attorney for Applicant

MBHB Case 03-307



LAW OFFICES  
**MCDONNELL BOEHNEN HULBERT & BERGHOFF**  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606